

**U.S. District Court
Eastern District of New York (Brooklyn)
CRIMINAL DOCKET FOR CASE #: 1:19-mj-00069-SMG-1**

Case title: USA v. Nanda

Date Filed: 01/26/2019

Assigned to: Magistrate Judge
Steven M. Gold

Defendant (1)

Sanjay Nanda

represented by **Douglas G. Morris**
Federal Defenders of New York, Inc.
One Pierrepont Plaza, 16th Floor
Brooklyn, NY 11201
718-330-1200
Fax: 718-855-0760
Email: douglas_morris@fd.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
*Designation: Public Defender or Community
Defender Appointment*

Pending Counts

None

Disposition

**Highest Offense Level
(Opening)**

None

Terminated Counts

None

Disposition

**Highest Offense Level
(Terminated)**

None

Complaints

18:1343.F

Disposition

Plaintiff

USA

represented by **Francisco J Navarro**
United States Attorney's Office

271 Cadman Plaza East
Brooklyn, NY 11201
718-254-6007
Fax: 718-254-6076
Email: francisco.navarro@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED
Designation: Government Attorney

Date Filed	#	Page	Docket Text
01/26/2019	<u>1</u>		RULE 5 AFFIDAVIT / REMOVAL TO THE NORTHERN DISTRICT OF TEXAS by USA as to Sanjay Nanda (Williams, Erica) (Entered: 01/28/2019)
01/26/2019			Arrest (Rule 5) of Sanjay Nanda (Williams, Erica) (Entered: 01/28/2019)
01/26/2019	<u>2</u>		CJA 23 Financial Affidavit by Sanjay Nanda (Williams, Erica) (Entered: 01/28/2019)
01/26/2019			Minute Entry for proceedings held before Magistrate Judge Steven M. Gold: Arraignment as to Sanjay Nanda (1) Count Complaint, Attorney Appointment Hearing as to Sanjay Nanda, and Initial Appearance in Rule 5(c)(3) Proceedings as to Sanjay Nanda held on 1/26/2019. AUSA Francisco Navarro present. Defendant present with Douglas Morris who was appointed for today's proceeding only. Removal proceeding to the Northern District of Texas held. Bond set at \$350,000. Defendant waived identity hearing. (Williams, Erica) (Entered: 01/28/2019)
01/26/2019	<u>3</u>		ORDER Setting Conditions of Release as to Sanjay Nanda (1) \$350,000 PRB. Ordered by Magistrate Judge Steven M. Gold on 1/26/2019. (Williams, Erica) (Entered: 01/28/2019)
01/26/2019	<u>4</u>		REDACTION by Sanjay Nanda to <u>3</u> 1 – Sealed Document CR, Order Setting Conditions of Release (Williams, Erica) (Entered: 01/28/2019)
01/26/2019	<u>5</u>		WAIVER of Rule 5(c)(3) Hearing by Sanjay Nanda (Williams, Erica) (Entered: 01/28/2019)

FJN

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X

19 11 69

UNITED STATES OF AMERICA

- against -

SANJAY NANDA,

Defendant.

AFFIDAVIT IN SUPPORT OF
REMOVAL TO THE
NORTHERN DISTRICT OF TEXAS

(Fed. R. Crim. P. 5)

Case No. 19-

-----X

EASTERN DISTRICT OF NEW YORK, SS:

JORDAN ANDERSON, being duly sworn, deposes and states that he is a
Special Agent with the Federal Bureau of Investigation (the "FBI"), duly appointed
according to law and acting as such.

On or about January 25, 2019, an arrest warrant was issued by the United
States District Court for the Northern District of Texas commanding the arrest of the
defendant SANJAY NANDA, in connection with a complaint charging the defendant with
knowingly and with the intent to defraud, devising and executing a scheme or artifice to
obtain money by means of false pretenses and representations, in violation of Title 18,
United States Code, Section 1343.

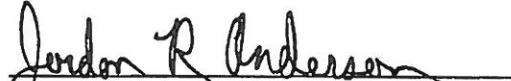
The source of your deponent's information and the grounds for his belief are as follows:¹

1. On or about January 25, 2019, an arrest warrant was issued by the United States District Court for the Northern District of Texas commanding the arrest of the defendant SANJAY NANDA (the "Arrest Warrant"), in connection with a complaint charging the defendant with knowingly and with the intent to defraud, devising and executing a scheme or artifice to obtain money by means of false pretenses and representations, in violation of Title 18, United States Code, Section 1343 (the "Complaint"). A copy of the Arrest Warrant and Complaint are attached hereto as Exhibit A.

2. On January 26, 2019, I arrested the defendant SANJAY NANDA, pursuant to the Arrest Warrant at John F. Kennedy International Airport in Queens, New York. Upon his arrest, the defendant presented me with three United States passports (two current passports and one expired passport) and a Texas driver license bearing the name SANJAY NANDA. Additionally, the defendant acknowledged that he is SANJAY NANDA. Based on the foregoing, I believe that the defendant is the individual wanted in the Northern District of Texas.

¹ Because the purpose of this affidavit is to set forth only those facts necessary to establish probable cause for removal, I have not described all of the relevant facts and circumstances of which I am aware.

WHEREFORE, your deponent respectfully requests that the defendant
SANJAY NANDA be removed to the United States District Court for the Northern District
of Texas so that he may be dealt with according to law.


JORDAN ANDERSON
Special Agent
Federal Bureau of Investigation

Sworn to before me this
26th day of January, 2019

/s/ SMG

THE HONORABLE STEVEN M. GOLD
UNITED STATES MAGISTRATE JUDGE
EASTERN DISTRICT OF NEW YORK

MIME-Version:1.0

From:ecf_bounces@nyed.uscourts.gov

To:nobody@nyed.uscourts.gov

Bcc:

--Case Participants: Francisco J Navarro (francisco.navarro@usdoj.gov), Magistrate Judge Steven M. Gold (john_farmer@nyed.uscourts.gov, monisola_salaam@nyed.uscourts.gov, saudia_gillespie@nyed.uscourts.gov)

--Non Case Participants:

--No Notice Sent:

Message-Id:13547235@nyed.uscourts.gov

Subject:Activity in Case 1:19-mj-00069-SMG USA v. Nanda Arrest - Rule 40

Content-Type: text/html

U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 1/28/2019 at 11:58 AM EST and filed on 1/26/2019

Case Name: USA v. Nanda

Case Number: 1:19-mj-00069-SMG

Filer:

Document Number: No document attached

Docket Text:

Arrest (Rule 5) of Sanjay Nanda (Williams, Erica)

1:19-mj-00069-SMG-1 Notice has been electronically mailed to:

Francisco J Navarro francisco.navarro@usdoj.gov

1:19-mj-00069-SMG-1 Notice will not be electronically mailed to:

MIME-Version:1.0
From:ecf_bounces@nyed.uscourts.gov
To:nobody@nyed.uscourts.gov
Bcc:
--Case Participants: Douglas G. Morris (douglas_morris@fd.org, edny_ecf@yahoo.com),
Francisco J Navarro (francisco.navarro@usdoj.gov), Magistrate Judge Steven M. Gold
(john_farmer@nyed.uscourts.gov, monisola_salaam@nyed.uscourts.gov,
saudia_gillespie@nyed.uscourts.gov)
--Non Case Participants:
--No Notice Sent:

Message-Id:13547350@nyed.uscourts.gov
Subject:Activity in Case 1:19-mj-00069-SMG USA v. Nanda Arraignment
Content-Type: text/html

U.S. District Court

Eastern District of New York

Notice of Electronic Filing

The following transaction was entered on 1/28/2019 at 12:21 PM EST and filed on 1/26/2019

Case Name: USA v. Nanda
Case Number: 1:19-mj-00069-SMG
Filer:
Document Number: No document attached

Docket Text:

Minute Entry for proceedings held before Magistrate Judge Steven M. Gold: Arraignment as to Sanjay Nanda (1) Count Complaint, Attorney Appointment Hearing as to Sanjay Nanda, and Initial Appearance in Rule 5(c)(3) Proceedings as to Sanjay Nanda held on 1/26/2019. AUSA Francisco Navarro present. Defendant present with Douglas Morris who was appointed for today's proceeding only. Removal proceeding to the Northern District of Texas held. Bond set at \$350,000. Defendant waived identity hearing. (Williams, Erica)

1:19-mj-00069-SMG-1 Notice has been electronically mailed to:

Douglas G. Morris douglas_morris@fd.org, EDNY_ECF@YAHOO.COM

Francisco J Navarro francisco.navarro@usdoj.gov

1:19-mj-00069-SMG-1 Notice will not be electronically mailed to:

UNITED STATES OF AMERICA

**ORDER SETTING CONDITIONS OF RELEASE
AND APPEARANCE BOND**

V.
Sanjay Narula, Defendant.

Case Number:

19M69 TO LE 161ED.

RELEASE ORDER

It is hereby ORDERED that the above-named defendant be released subject to the Standard Conditions of Release on the reverse and as follows:

- ☐ Upon Personal Recognizance Bond on his/her promise to appear at all scheduled proceedings as required, or
☒ Upon Bond executed by the defendant in the amount of \$ _____, and
secured by ☐ financially responsible sureties listed below and/or ☒ collateral set forth below.

Additional Conditions of Release

The Court finding that release under the Standard Conditions of Release on the reverse will not by themselves reasonably assure the appearance of the defendant and/or the safety of other persons and the community, IT IS FURTHER ORDERED as follows:

- ☒ 1. The defendant must remain in and may not leave the following areas without Court permission: ☐ New York City; ☐ Long Island, NY; ☒ New York State; ☒ New Jersey; ☒ NJ and travel to and from this Court and the permitted areas.
☐ 2. The defendant must avoid all contact with the following persons or entities: _____
☐ 3. The defendant must avoid and not go to any of the following locations: _____
☒ 4. The defendant must surrender all passports to Pretrial Services by 12/1/19 and not obtain other passports or international travel documents.
☐ 5. The defendant is placed under the supervision of the Pretrial Services Agency subject to the Special Conditions on the reverse and:
☒ a. is subject to random visits by a Pretrial Services officer at defendant's residence and/or place of work;
☒ b. must report ☒ as directed by Pretrial Services or ☐ in person _____ times per _____ and/or ☐ by telephone _____ times per _____
☐ c. must undergo ☐ testing, ☐ evaluation and/or ☐ treatment for substance abuse, including alcoholism, as directed by Pretrial Services.
☐ d. must undergo evaluation and treatment for mental health problems, as directed by Pretrial Services.
☐ e. is subject to the following location restriction program with location monitoring, as directed by Pretrial Services:
☐ home incarceration: restricted to home at all times, except for attorney visits, court appearances and necessary medical treatment;
☐ home detention: restricted to home at all times, except for attorney visits, court appearances, medical treatment, ☐ religious services,
☐ employment, ☐ school or training, ☐ other activities approved by Pretrial Services, ☐ _____
☐ curfew: restricted to home every day from _____ to _____, or ☐ as directed by Pretrial Services.
☐ Defendant must pay all or part of the cost of any required testing, evaluation, treatment and/or location monitoring with personal funds, based upon ability to pay as determined by the Court and the Pretrial Services Agency, and/or from available insurance.
☒ 6. Other Conditions: Must reside at 601 Crume Rd. Monmouth Junction, NJ 07046

APPEARANCE BOND

I, the undersigned defendant, and each surety who signs this bond, acknowledge that I have read this Appearance Bond and, and have either read all the other conditions of release or have had those conditions explained. I further acknowledge that I and my personal representatives, jointly and severally, are bound to pay the United States of America the sum of \$ _____ and that this obligation is secured with the below interest in the following property ("Collateral") which I represent is/are free and clear of liens except as otherwise indicated:

- ☐ cash deposited in the Registry of the Court in the sum of \$ _____
☒ premises located at: 601 Crume Rd. Monmouth Junction, NJ 07046 owned by Sanjay Narula
☒ I also agree to execute a confession of judgment, mortgage or lien in form approved by the U.S. Attorney which shall be duly filed with the proper local and state authorities on or before Feb 1, 2019.

Each owner of the above Collateral agrees not to sell the property, allow further claims or encumbrances to be made against it, or do anything to reduce its value while this Appearance Bond is in effect.

Forfeiture of the Bond. This Appearance Bond may be forfeited if the defendant fails to comply with any of the conditions set forth above and on the reverse. The defendant and any surety who has signed this form also agree that the court may immediately order the amount of the bond surrendered to the United States, including any security for the bond, if the defendant fails to comply with the above agreement. The court may also order a judgment of forfeiture against the defendant and against each surety for the entire amount of the bond, including any interest and costs. Date

Sanjay Narula, Surety Address: 601 Crume Rd. Monmouth Junction, NJ 07046 01/28/19
_____, Surety Address: _____
_____, Surety Address: _____

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release and of the penalties and sanctions set forth on the front and reverse sides of this form.

Release of the Defendant is hereby ordered on January 28, 2019.

Signature of Defendant

/s/ SMG

US MJ

Distribution: Canary - Court Pink - Pretrial Services Goldenrod - Defendant

STANDARD CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate any federal, state or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the Court, the Pretrial Services office, defense Counsel and the U.S. Attorney in writing before making any change in address or telephone number.
- (4) The defendant must appear in court as required and must surrender for service of any sentence imposed as directed.
- (5) The defendant must refrain from use or unlawful possession of a narcotic drug or other controlled substances as defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
- (6) If the defendant fails to report as required to the Pretrial Services Agency, defendant may be subject to such random visits at his/her residence or work by a Pretrial Services Officer as may be necessary to verify his/her residence or place of employment in order to secure compliance with the order of release.
- (7) The defendant must not possess a firearm, destructive device, or other weapon.

SPECIAL CONDITIONS OF RELEASE FOR TESTING, TREATMENT OR EVALUATION AND FOR LOCATION MONITORING

1. If the defendant fails to appear for any specified treatment or evaluation, defendant may be subject to such random visits at his/her residence or work by a Pretrial Services Officer as may be necessary to verify his/her residence or place of employment in order to secure compliance with the order of release.
2. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing, as determined by Pretrial Services.
3. If defendant is subject to a location restriction program or location monitoring, defendant must:
 - (a) stay at his/her residence at all times except for approved activities and may not leave for approved activities without providing prior notice to Pretrial Services, except in cases of medical emergencies.
 - (b) abide by all program requirements and instructions provided by Pretrial Services relating to the operation of monitoring technology. Unless specifically ordered by the court, Pretrial Services may require use of one of the following or comparable monitoring technology: Radio Frequency (RF) monitoring; Passive Global Positioning Satellite (GPS) monitoring; Active Global Positioning Satellite (GPS) monitoring (including "hybrid" (Active/Passive) GPS); Voice Recognition monitoring.

FORFEITURE OF THE BOND

This appearance bond may be forfeited if the defendant does not comply with the conditions of release set forth in this Order Setting Conditions of Release and Bond. The court may immediately order the amount of the bond and any Collateral surrendered to the United States if the defendant does not comply with the agreement. At the request of the United States, the court may order a judgment of forfeiture against the defendant and each surety for the entire amount of the bond, including interest and costs.

RELEASE OF THE BOND

This appearance bond may be terminated at any time by the Court. This bond will be satisfied and the security will be released when either: (1) the defendant is found not guilty on all charges, or (2) the defendant reports to serve a sentence.

ADVICE OF PENALTIES AND SANCTIONS TO THE DEFENDANT

Defendant is advised that violating any of the foregoing conditions of release may result in the immediate issuance of a warrant of arrest, a revocation of the order of release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if defendant commits a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence defendant may receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, defendant knowingly fails to appear as the conditions of release require, or to surrender to serve a sentence, defendant may be prosecuted for failing to appear or surrender and additional punishment may be imposed, whether or not the defendant is convicted of the pending charges. If defendant is convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – defendant will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – defendant will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – defendant will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – defendant will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence imposed. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

United States District Court, Eastern District of New York

UNITED STATES OF AMERICA

ORDER SETTING CONDITIONS OF RELEASE
AND APPEARANCE BONDV.
Sanjay Narula, Defendant.

Case Number:

19M69

RELEASE ORDER

It is hereby ORDERED that the above-named defendant be released subject to the Standard Conditions of Release on the reverse and as follows:

- ☐ Upon Personal Recognizance Bond on his/her promise to appear at all scheduled proceedings as required, or
☒ Upon Bond executed by the defendant in the amount of \$ _____, and
secured by ☐ financially responsible sureties listed below and/or ☒ collateral set forth below.

Additional Conditions of Release

The Court finding that release under the Standard Conditions of Release on the reverse will not by themselves reasonably assure the appearance of the defendant and/or the safety of other persons and the community, IT IS FURTHER ORDERED as follows:

- ☒ 1. The defendant must remain in and may not leave the following areas without Court permission: ☐ New York City; ☐ Long Island, NY; ☒ New York State; ☒ New Jersey; ☒ NJ, NJ and travel to and from this Court and the permitted areas.
☐ 2. The defendant must avoid all contact with the following persons or entities: _____
☐ 3. The defendant must avoid and not go to any of the following locations: _____
☒ 4. The defendant must surrender all passports to Pretrial Services by 1/24/19 and not obtain other passports or international travel documents.
☐ 5. The defendant is placed under the supervision of the Pretrial Services Agency subject to the Special Conditions on the reverse and:
☒ a. is subject to random visits by a Pretrial Services officer at defendant's residence and/or place of work;
☒ b. must report ☒ as directed by Pretrial Services or ☐ in person _____ times per _____ and/or ☐ by telephone _____ times per _____
☐ c. must undergo ☐ testing, ☐ evaluation and/or ☐ treatment for substance abuse, including alcoholism, as directed by Pretrial Services.
☐ d. must undergo evaluation and treatment for mental health problems, as directed by Pretrial Services.
☐ e. is subject to the following location restriction program with location monitoring, as directed by Pretrial Services:
☐ home incarceration: restricted to home at all times, except for attorney visits, court appearances and necessary medical treatment;
☐ home detention: restricted to home at all times, except for attorney visits, court appearances, medical treatment, ☐ religious services,
☐ employment, ☐ school or training, ☐ other activities approved by Pretrial Services, ☐ _____
☐ curfew: restricted to home every day from _____ to _____, or ☐ as directed by Pretrial Services.
☐ Defendant must pay all or part of the cost of any required testing, evaluation, treatment and/or location monitoring with personal funds, based upon ability to pay as determined by the Court and the Pretrial Services Agency, and/or from available insurance.
☒ 6. Other Conditions: Must reside at 6000 1st St. Manhattan, NY 10016

APPEARANCE BOND

I, the undersigned defendant, and each surety who signs this bond, acknowledge that I have read this Appearance Bond and, and have either read all the other conditions of release or have had those conditions explained. I further acknowledge that I and my personal representatives, jointly and severally, are bound to pay the United States of America the sum of \$ _____ and that this obligation is secured with the below interest in the following property ("Collateral") which I represent is/are free and clear of liens except as otherwise indicated:

- ☐ cash deposited in the Registry of the Court in the sum of \$ _____
☒ premises located at: 6000 1st St. Manhattan, NY 10016 owned by Sanjay Narula
☒ I also agree to execute a confession of judgment, mortgage or lien in form approved by the U.S. Attorney which shall be duly filed with the proper local and state authorities on or before Feb 1, 2019

Each owner of the above Collateral agrees not to sell the property, allow further claims or encumbrances to be made against it, or do anything to reduce its value while this Appearance Bond is in effect.

Forfeiture of the Bond. This Appearance Bond may be forfeited if the defendant fails to comply with any of the conditions set forth above and on the reverse. The defendant and any surety who has signed this form also agree that the court may immediately order the amount of the bond surrendered to the United States, including any security for the bond, if the defendant fails to comply with the above agreement. The court may also order a judgment of forfeiture against the defendant and against each surety for the entire amount of the bond, including any interest and costs. Date

Sanjay Narula, Surety Address: _____
_____, Surety Address: _____
_____, Surety Address: _____

I acknowledge that I am the defendant in this case and that I am aware of the conditions of release and of the penalties and sanctions set forth on the front and reverse sides of this form.

Release of the Defendant is hereby ordered on January 24, 2019.

Signature of Defendant

/s/ SMG

USA

Distribution: Canary - Court Pink - Pretrial Services Goldenrod - Defendant

STANDARD CONDITIONS OF RELEASE

IT IS ORDERED that the defendant's release is subject to these conditions:

- (1) The defendant must not violate any federal, state or local law while on release.
- (2) The defendant must cooperate in the collection of a DNA sample if the collection is authorized by 42 U.S.C. § 14135a.
- (3) The defendant must advise the Court, the Pretrial Services office, defense Counsel and the U.S. Attorney in writing before making any change in address or telephone number.
- (4) The defendant must appear in court as required and must surrender for service of any sentence imposed as directed.
- (5) The defendant must refrain from use or unlawful possession of a narcotic drug or other controlled substances as defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
- (6) If the defendant fails to report as required to the Pretrial Services Agency, defendant may be subject to such random visits at his/her residence or work by a Pretrial Services Officer as may be necessary to verify his/her residence or place of employment in order to secure compliance with the order of release.
- (7) The defendant must not possess a firearm, destructive device, or other weapon.

SPECIAL CONDITIONS OF RELEASE FOR TESTING, TREATMENT OR EVALUATION AND FOR LOCATION MONITORING

1. If the defendant fails to appear for any specified treatment or evaluation, defendant may be subject to such random visits at his/her residence or work by a Pretrial Services Officer as may be necessary to verify his/her residence or place of employment in order to secure compliance with the order of release.
2. The defendant must not obstruct, attempt to obstruct, or tamper with the efficiency and accuracy of prohibited substance screening or testing. Testing may be used with random frequency and may include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing, as determined by Pretrial Services.
3. If defendant is subject to a location restriction program or location monitoring, defendant must:
 - (a) stay at his/her residence at all times except for approved activities and may not leave for approved activities without providing prior notice to Pretrial Services, except in cases of medical emergencies.
 - (b) abide by all program requirements and instructions provided by Pretrial Services relating to the operation of monitoring technology. Unless specifically ordered by the court, Pretrial Services may require use of one of the following or comparable monitoring technology: Radio Frequency (RF) monitoring; Passive Global Positioning Satellite (GPS) monitoring; Active Global Positioning Satellite (GPS) monitoring (including "hybrid" (Active/Passive) GPS); Voice Recognition monitoring.

FORFEITURE OF THE BOND

This appearance bond may be forfeited if the defendant does not comply with the conditions of release set forth in this Order Setting Conditions of Release and Bond. The court may immediately order the amount of the bond and any Collateral surrendered to the United States if the defendant does not comply with the agreement. At the request of the United States, the court may order a judgment of forfeiture against the defendant and each surety for the entire amount of the bond, including interest and costs.

RELEASE OF THE BOND

This appearance bond may be terminated at any time by the Court. This bond will be satisfied and the security will be released when either: (1) the defendant is found not guilty on all charges, or (2) the defendant reports to serve a sentence.

ADVICE OF PENALTIES AND SANCTIONS TO THE DEFENDANT

Defendant is advised that violating any of the foregoing conditions of release may result in the immediate issuance of a warrant of arrest, a revocation of the order of release, an order of detention, a forfeiture of any bond, and a prosecution for contempt of court and could result in imprisonment, a fine, or both.

While on release, if defendant commits a federal felony offense the punishment is an additional prison term of not more than ten years and for a federal misdemeanor offense the punishment is an additional prison term of not more than one year. This sentence will be consecutive (*i.e.*, in addition to) to any other sentence defendant may receive.

It is a crime punishable by up to ten years in prison, and a \$250,000 fine, or both, to: obstruct a criminal investigation; tamper with a witness, victim, or informant; retaliate or attempt to retaliate against a witness, victim, or informant; or intimidate or attempt to intimidate a witness, victim, juror, informant, or officer of the court. The penalties for tampering, retaliation, or intimidation are significantly more serious if they involve a killing or attempted killing.

If, after release, defendant knowingly fails to appear as the conditions of release require, or to surrender to serve a sentence, defendant may be prosecuted for failing to appear or surrender and additional punishment may be imposed, whether or not the defendant is convicted of the pending charges. If defendant is convicted of:

- (1) an offense punishable by death, life imprisonment, or imprisonment for a term of fifteen years or more – defendant will be fined not more than \$250,000 or imprisoned for not more than 10 years, or both;
- (2) an offense punishable by imprisonment for a term of five years or more, but less than fifteen years – defendant will be fined not more than \$250,000 or imprisoned for not more than five years, or both;
- (3) any other felony – defendant will be fined not more than \$250,000 or imprisoned not more than two years, or both;
- (4) a misdemeanor – defendant will be fined not more than \$100,000 or imprisoned not more than one year, or both.

A term of imprisonment imposed for failure to appear or surrender will be consecutive to any other sentence imposed. In addition, a failure to appear or surrender may result in the forfeiture of any bond posted.

AQ 466A (Rev. 12/17) Waiver of Rule 5 & 5.1 Hearings (Complaint or Indictment)

UNITED STATES DISTRICT COURT
for the

United States of America

v.
SANJAY NANDA
Defendant

Case No.

19M69

Charging District's Case No.

WAIVER OF RULE 5 & 5.1 HEARINGS
(Complaint or Indictment)

I understand that I have been charged in another district, the (name of other court) N.D. Tex

I have been informed of the charges and of my rights to:

- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
- (5) a hearing on any motion by the government for detention;
- (6) request a transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.

I agree to waive my right(s) to:

- ☐ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☒ an identity hearing, production of the judgment, warrant, and warrant application, and any preliminary or detention hearing to which I may be entitled in this district. I request that my ☐ preliminary hearing and/or ☐ detention hearing be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date:

JAN 26, 2019

Sanjay Nanda
Defendant's signature

Douglas G. Morris
Signature of defendant's attorney

DOUGLAS G. MORRIS
Printed name of defendant's attorney